

REMARKS

Favorable consideration and allowance are requested for claims 6, 8, 16, and 17 in view of the following remarks.

Status of the Application

Claims 6, 8, 16 and 17 are pending in this application. Claims 1-5, 7, and 9-15 have been cancelled. Claims 18-26 were withdrawn from consideration by the Examiner in the outstanding Office Action. Claims 8 and 17 were objected to because of informalities. Claims 6, 8, 16, and 17 were rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite. Claims 6, 8, 16, and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0190576 A1 to Kern *et al.* (the “Kern publication”). Claims 6, 8, 16, and 17 have been amended.

Objection

According to the Examiner, claims 8 and 17 had certain informalities. In response, Applicants respectfully submit that the objection to these claims, as amended, should be withdrawn.

Rejection under 35 U.S.C. § 112

According to the Examiner, claims 6, 8, 16, and 17 failed to particularly point out and distinctly claim the subject matter of the invention. In response, Applicants respectfully submit that rejection to these claims, as amended, should be withdrawn.

Rejection under 35 U.S.C. § 102(e)

According to the Examiner, the Kern publication discloses each of the limitations of claims 6, 8, 16, and 17. In response, Applicants submit that although the Kern publication discloses changing the power supply from the utility to the generator after a service interruption has occurred, the Kern publication does not disclose the command device of claim 6. In particular, the Kern publication does not disclose “issuing a command signal to at least one of said first control unit for adjusting the power consumption and said second control unit for adjusting the power generation amount, before the interruption of the electric service”

Instead, the portion of the Kern publication cited by the Examiner merely discloses a “load shedding” feature, *i.e.*, the ability to remove a portion of the load from the system; the controller 14 in the Kern publication does not appear to disclose the adjustment of the output of generators 12. See Kern publication at ¶ [0066]. For at least this reason, Applicants respectfully submit that the rejection of claim 6 be withdrawn. And, for the same reason, Applicants request that the rejection of claim 8 be withdrawn. Further, as the disclosure missing from the Kern publication is unrelated to whether the timing of the power interruption is known, Applications respectfully submit that the rejection of claims 16 and 17 be withdrawn as well.

In addition, and with respect to claim 16, the Kern publication does not disclose the “first control unit adjust[ing] the load amounts of loads based on [the] rated power consumption of each load and [the] present load amount of

each load in accordance with the command signal.” Instead, the portion of the Kern publication cited by the Examiner merely discloses “load shedding” based on load 74 itself. *See* Kern publication at ¶ [0066]. For at least this reason, Applicants respectfully submit that the rejection of claim 16 be withdrawn. And for the same reason, Applicants request that the rejection of claim 17 be withdrawn.

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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056205.55944US).

Respectfully submitted,

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